

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 23-cr-159 (SRN/TNL)

Plaintiff,

v.

ORDER

Nathan John Walz,

Defendant.

Esther Soria Mignanelli and Joseph Scott Teirab, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, and Ben Tonkin, Department of Justice, Criminal Division, 1301 New York Avenue Northwest, Washington, DC 20005 (for the Government); and

Robert A. Lengeling, Beito & Lengeling, PA, 310 Fourth Avenue South, Suite 1050, Minneapolis, MN 55415 (for Defendant).

This matter is before the Court, United States Magistrate Judge Tony N. Leung, on the Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3 and 26.2 ("Motion for Discovery"), ECF No. 19.

A hearing on pretrial motions in this case was scheduled to be heard by the undersigned on June 29, 2023. ECF No. 18 at 3; ECF No. 23 at 2. On June 2, 2023, Defendant Nathan John Walz informed the Court that he did "not intend to file any [] pre-trial motions at this time." ECF No. 24. Defendant requested that the hearing be cancelled. *Id.* In email correspondence with the Court, the Government agreed that the hearing could be cancelled. The hearing was stricken, and the Government's Motion for Discovery was taken under advisement. ECF No. 27.

Based upon the record and memoranda, **IT IS HEREBY ORDERED** that:

1. The Government's Motion for Discovery, ECF No. 19, is **GRANTED**.

This motion seeks discovery available under Federal Rules of Criminal Procedure 12.1, 12.2, 12.3, 16(b), and 26.2, as well as the establishment of deadlines for the disclosure of expert witnesses. In email correspondence with the Court, Defendant stated he has no objection to the Government's Motion for Discovery. Further, the parties agreed to make their principal expert disclosures no later than 28 days before trial and any rebuttal expert disclosures no later than 14 days prior to trial.

Accordingly, consistent with the parties' agreement, no later than 28 days prior to trial, the parties shall make their principal expert disclosures, and, no later than 14 days prior to trial, the parties shall make any rebuttal expert disclosures.

2. All prior consistent orders remain in full force and effect.

3. Failure to comply with any provision of this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like.

Date: July 7, 2023

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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